REMARKS

Claims 1-13 remain pending in the application.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Interview

The Applicants thank the Examiner for granting the Applicants an interview for the subject application on August 4, 2005. The Examiner has agreed to withdraw the Finality of the Office Action because being improper, as discussed below. Moreover, the Examiner has agreed to re-review the cited prior art based on arguments made by the Applicants.

Allowable Claim

The Applicants thank the Examiner for the indication that claims 7 and 12 are now allowed.

Finality of the Office Action

The Office Action is indicated as being Final. The Finality of the Office Action is improper since raising a new grounds of rejection that the Applicant has not had an opportunity to respond to under a non-Final Office Action. In particular, the Examiner now rejected claims 3, 8 and 13 for the recited "Bluetooth" that the Applicants have not had an opportunity to respond to under a **NON**-Final Office Action. The Applicants respectfully request that the Finality of the Office Action be withdrawn.

35 USC 112 Second Paragraph Rejection of Claims 3, 8 and 13

The Office Action rejected claims 3 8 and 13 as allegedly being indefinite under 35 USC 112. In particular, the Examiner alleges that the recited "Bluetooth" is a trademark that renders the claims indefinite since the trademark

or trade name cannot be used to identify any particular material or product. The Examiner alleges that a trademark is used to identify a source of goods, and not the goods themselves. The Applicants respectfully disagree.

Bluetooth is a wireless piconet engineering standard. Any manufacturer that manufactures devices in accordance with the Bluetooth specification is able to advertise their products as being Bluetooth compatible. Thus, Bluetooth identifies a wireless piconet engineering standard **NOT** a source of goods. Bluetooth is an established engineering standard that has a clearly defined specification. The Examiner is respectfully requested to review www.bluetooth.com for specific details related to the Bluetooth standard.

It is respectfully submitted that claims 3, 8 and 13 are in full conformance with 35 USC 112. It is respectfully requested that the rejection be withdrawn.

Claims 1-5, 8-10 and 13 over Trost in view of Jasinski

In the Office Action, claims 1-5, 8-10 and 13 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent Application Publication No. 2002/0151275 to Trost et al. ("Trost") in view of U.S. Patent No. 5,142,279 to Jasinski et al. ("Jasinski"). The Applicants respectfully traverse the rejection.

Claims 1-3 recite a frequency offset **history** table adapted to contain a plurality of entries each corresponding to a **past** frequency offset of a device in a piconet. Claims 4, 5, 8-10 and 13 recite looking up a **past** frequency offset value of a transmitting piconet device.

The Examiner acknowledges practically all of the claimed features of claims 1-5, 8-10 and 13 are **NOT** disclosed by Trost (See Office Action, pages 2 and 3), i.e., a frequency offset history table adapted to contain a plurality of entries each corresponding to a past frequency offset of a device in a piconet wherein an expected center frequency of a signal received by a receiver portion is adjusted based on one of a plurality of entries in the frequency offset history table corresponding to a device transmitting the signal. The Office Action relies

on Jasinski to allegedly make up for the deficiencies in Trost to arrive at the claimed features. The Applicants respectfully disagree.

The Examiner alleges that Jasinski discloses the deficiencies in Trost, i.e., a frequency offset history table adapted to contain a plurality of entries each corresponding to a past frequency offset of a device in a piconet wherein an expected center frequency of a signal received by a receiver portion is adjusted based on one of a plurality of entries in the frequency offset history table corresponding to a device transmitting the signal. However, Jasinski fails to even mention use of a piconet and any type of history table and storage of a past frequency offset value.

The Examiner alleges that Jasinski discloses a frequency offset history table adapted to contain a plurality of entries each corresponding to a past frequency offset at Jasinski, Fig. 7, wherein an expected center frequency of a signal received by a receiver portion is adjusted based on one of a plurality of entries in the frequency offset table corresponding to a device transmitting a signal at Jasinski, col. 15, line 33-col. 16, line 2 and col. 17, line 12-col. 18, line 45 (See Office Action, page 7). The Applicants respectfully disagree.

As discussed above, Jasinski fails to even mention a piconet. Jasinski's Fig. 7 is directed to a table of twenty pager sub-bands available for used by a number of pagers around the base frequency of 150 MHz (See Fig. 7; col. 17, lines 12-51). The pager sub-bands are disclosed as being offsets from the base frequency of 150 MHz (See Jasinski, Fig. 7, col. 17, lines 12-51).

Thus, Jasinski discloses a pager connecting to a pager network, (a pager network being similar to a cellular network). In contrast to a pager, a piconet is an ad-hoc network that is used to connect a piconet device to other piconet devices, **NOT** relying on a **paid externally** established infrastructure, such as towers and routers, for communication with other piconet devices.

Moreover, Jasinski's pager frequency table is simply a list of frequencies available for a plurality of pagers to use for communication if a chosen frequency is already being used by anther pager (See Jasinski, col. 17, lines 12-51). Jasinski's Fig. 7 fails to disclose any type of **historical** information

related to pager, much less a piconet device. Jasinki's disclosure of a number of frequencies available for use with a number of pagers is **NOT** a historical record of frequencies used, i.e., a **past** frequency offset of a piconet device, as recited by claims 1-5, 8-10 and 13.

Thus, even if it were obvious to modify Trost with the disclosure of Jasinski (which it is not as discussed below), the theoretical result would be a Bluetooth enabled device (Trost) that has a list of available pager frequencies that offset from 150 MHz (Jasinski). Bluetooth is a standard that communicates at 2.4 GHz frequencies. Modifying a system that operates at 2.4 GHz frequencies with a table of available frequencies at 150 MHz frequencies is **nonsensical**. Trost would no longer be considered a Bluetooth system once operating at pager frequencies, i.e., would no longer comply with the Bluetooth standard.

Thus, Trost modified by the disclosure of Jasinski would fail to disclose or suggest a **past** frequency offset value of a transmitting piconet device, much less a frequency offset **history** table adapted to contain a plurality of entries each corresponding to a **past** frequency offset of a device in a piconet, as recited by claims 1-5, 8-10 and 13.

Accordingly, for at least all the above reasons, claims 1-5, 8-10 and 13 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 6 and 11 over Trost in view of Jasinski and Ericsson

In the Office Action, claims 6 and 11 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Trost in view of Jasinski, and further in view of U.S. Patent No. 5,884,178 to Ericsson et al. (Ericsson"). The Applicants respectfully traverse the rejection.

Claims 6 and 11 are dependent on claims 4 and 9 respectively, and are allowable for at least the same reasons as claims 4 and 9.

Claims 6 and 11 recite looking up a **past** frequency offset value of a transmitting piconet device.

As discussed above, Trost in view of Jasinski fails to disclose or suggest looking up a **past** frequency offset value of a transmitting piconet device, as recited by claims 6 and 11.

The Office Action relies on Ericsson to allegedly make up for the deficiencies in Trost in view of Jasinski to arrive at the claimed features. The Applicants respectfully disagree.

The Examiner alleges that the motivation to modify Trost with the disclosure of Jasinski and Ericsson is to provide a method for accurately estimating the speed of a mobile station in a cellular communications system through frequency offset calculation (See Office Action, page 5). However, again this is nonsensical. Nothing within Trost, Jasinski and Ericsson suggests taking a Bluetooth system (Trost) modified with components from a paging system (Jasinski), and further modified by components from a cellular system (Ericsson) that would result in a method for accurately estimating the speed of a mobile station in a cellular communications system through frequency offset calculation. The Examiner's motivation of modifying Trost with Jasinski and Ericsson is really just what Ericsson discloses, not a desire for the modification. Therefore, modifying Trost to perform paging functions and cellular functions that have nothing to do with Trost's original contribution to the art is nonsensical.

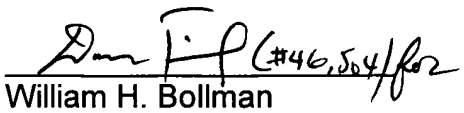
Thus, Trost modified by Jasinski and Ericsson fails to disclose, teach or suggest looking up a **past** frequency offset value of a transmitting piconet device, as recited by claims 6 and 11.

Accordingly, for at least all the above reasons, claims 6 and 11 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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